

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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5 ALEXANDER DURFEY,  
6 Plaintiff,

2:17-cv-03136-GMN-VCF

7 vs.

**ORDER**

8 DOUGLAS HERNDON,  
9 Defendant.

10  
11 Plaintiff Alexander Durfey submitted a complaint to the Court on December 29, 2017. (ECF No.  
12 1). However, Plaintiff failed to pay the necessary filing fee or submit an application to proceed *in forma*  
13 *pauperis*.

14 ACCORDINGLY, and for good cause shown,

15 IT IS ORDERED that by July 12, 2019, Plaintiff must either (1) file a complete application to  
16 proceed *in forma pauperis*, or (2) pay the full fee for filing a civil action.

17 IT IS FURTHER ORDERED that failure to timely comply with this Order will result in a  
18 recommendation that this case be dismissed with prejudice.

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20 **NOTICE**

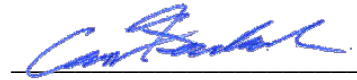
21 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and  
22 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk  
23 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal  
24 may determine that an appeal has been waived due to the failure to file objections within the specified  
25 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections

1 within the specified time and (2) failure to properly address and brief the objectionable issues waives the  
2 right to appeal the District Court's order and/or appeal factual issues from the order of the District Court.  
3 *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452,  
4 454 (9th Cir. 1983).

5 Pursuant to LR IA 3-1, the Plaintiff must immediately file written notification with the court of  
6 any change of address. The notification must include proof of service upon each opposing party of the  
7 party's attorney. Failure to comply with this Rule may result in dismissal of the action.

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9 IT IS SO ORDERED.

10 DATED this 6th day of June, 2019.

11   
12 CAM FERENBACH  
13 UNITED STATES MAGISTRATE JUDGE  
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